IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.19411-M of 2007
Date of Decision:- 24.04.2007

Nirwair Singh ....Petitioner(s)

through
Mr.G.S.Sandhu, Advocate.

vs.

State of Punjab ....Respondent(s)

through
Mr.Rajesh Bhardwaj, DAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J.

The prayer in this petition is to release the petitioner on regular bail in case F.I.R.No.9 dated 9.1.2007 under Sections 324, 323, 341, 34 IPC in which Section 326 IPC was also added later on, registered at Police Station, Samana, District Patiala.

The petitioner is a college student and appears to be a spoiled brat, who keeps on indulging in one or the other violent activities in the college campus. As noticed by the learned Additional Sessions Judge, Patiala, earlier also the petitioner was involved in another case registered vide F.I.R. No.221 dated 3.8.2006.

In the present case, the petitioner is alleged to have caused injury with a deadly weapon though the same was found to be simple in nature.

The petitioner is in custody since 22.2.2007.

The investigation is complete and the challan is ready for presentation.

Vide order dated March 30, 2007, the petitioner was permitted to appear in the examination under security cover.

In order to give one and the last opportunity to the petitioner to pursue his studies and without expressing any views on merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Patiala, subject to, however, furnishing not only the petitioner's own bail bonds but also of two respectables of the area in the equal amount. In addition, the petitioner shall be released subject to the following conditions also:-

(i) the petitioner's parents are directed to give an undertaking within two weeks from today to the Principal of the college as well as to the SHO of the Police Station concerned regarding his good behaviour in future;

(ii) the petitioner shall report to the SHO of the Police Station concerned twice a week and each time shall give in writing that he is not involved in any kind of criminal activities;

(iii) the Principal of the college shall ensure that the petitioner or his associates do not enter the campus with any weapon including base-ball, hockey etc. If the petitioner or his associates are noticed to be carrying any type of weapon etc., the matter shall be telephonically reported to the SHO of the Police Station

concerned, who shall take the petitioner into custody forthwith;

(iv)Non-observation of any of these conditions shall be aken as dismissal of this bail petition and forfeiture of bail bonds/surety bonds furnished by the petitioner.

Let a copy of this order, duly attested by the Bench Secretary, be handed over to Mr.Rajesh Bhardwaj, learned DAG, Punjab, who shall further forward the same to SSP, Patiala and SHO of the Police Station concerned for strict compliance thereof.

April 24, 2007 **(SURYA KANT)**
poonam **JUDGE**